

1 Michael J. McCue  
Nevada Bar No.: 6055  
2 LEWIS ROCA ROTHGERBER CHRISTIE LLP  
3993 Howard Hughes Pkwy., Suite 600  
3 Las Vegas, NV 89169  
Tele: (702) 949-8200  
4 E-mail: mmccue@lewisroca.com

5 *Attorneys for Plaintiff*  
6 *Pricestack, Inc. dba Preflect*

7 **UNITED STATES DISTRICT COURT**  
8 **DISTRICT OF NEVADA**

9 PRICESTACK, INC., a Delaware  
corporation,

10 Plaintiff,

11 v.

12 HEART OF SUN, LLC, a Florida  
13 limited liability company; SOPHIA  
14 LIMA, an individual; and NICHOLAS  
RUS, an individual,

15 Defendants.

Case No.: 2:22-cv-01447-APG-DJA

**PLAINTIFF'S MOTION FOR  
EXTENSION OF TIME TO  
VOLUNTARILY DISMISS OR TAKE  
OTHER ACTION IN THIS CASE (FIRST  
REQUEST)**

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17 Plaintiff Pricestack Inc. dba Preflect ("Preflect") respectfully moves the Court  
18 for an extension of time from November 21, 2022, to December 21, 2022, to file a  
19 voluntary dismissal or take other action in this case.

20 Pursuant to a settlement agreement between the parties, on October 6,  
21 2022, the Court entered a permanent injunction ordering the Defendants to, among  
22 other things, "withdraw or seek reversal of . . . any merchant disputes or receiving  
23 any refunds for payments made to Preflect for or relating to any charges made on  
24 Defendants' payment cards . . . ." (ECF No. 29.) On the same day, the Court  
25 granted the parties' stipulation providing that the Plaintiffs would voluntarily dismiss  
26 this action after receipt of a settlement payment from the Defendants (which was  
27 due on or before November 15, 2022) or take other action in this case on or before  
28 November 21, 2022. (ECF No. 28.)

1 As of November 21, 2022, Plaintiffs have not received the settlement  
2 payment from the Defendants. In addition, Plaintiffs are in the process of  
3 determining whether Defendants complied with the permanent injunction by  
4 withdrawing or seeking reversal of all merchant disputes at issue in this case.

5 Accordingly, Plaintiffs respectfully request that the Court continue the  
6 deadline for the Plaintiffs to voluntarily dismiss this case or take other action by  
7 thirty (30) days to December 21, 2022.

8 Dated this 21<sup>st</sup> day of November, 2022.

9 LEWIS ROCA ROTHGERBER CHRISTIE LLP

10 /s/ Michael J. McCue  
11 Michael J. McCue (SBN: 6055)  
12 3993 Howard Hughes Pkwy, Suite 600  
13 Las Vegas, NV 89169  
14 Telephone: (702) 949-8200  
15 E-mail: [mmccue@LewisRoca.com](mailto:mmccue@LewisRoca.com)

16 *Attorneys for Plaintiff*  
17 Pricestack, Inc. dba Preflect

18 IT IS SO ORDERED:

19 Dated: November 22, 2022

20   
21 ANDREW P. GORDON  
22 UNITED STATES DISTRICT JUDGE  
23  
24  
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